

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-4700**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LARRY TERRAY STUDGON, a/k/a Terray Sterns,  
a/k/a Bryan James,

Defendant - Appellant.

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Appeal from the United States District Court for the District of  
South Carolina, at Anderson. G. Ross Anderson, Jr., District  
Judge. (CR-02-1244)

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Submitted: February 19, 2004

Decided: February 25, 2004

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Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Andrew R. Mackenzie, BARRETT & MACKENZIE, L.L.C., Greenville, South  
Carolina, for Appellant. Alan Lance Crick, Assistant United States  
Attorney, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Larry Studgon pleaded guilty to being a felon in possession of ammunition, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (2000). Studgon was sentenced to fifty-seven months incarceration, three years supervised release, and a \$100 special assessment. His attorney has filed an appeal under Anders v. California, 386 U.S. 738 (1967), alleging his trial counsel provided ineffective assistance. We review this claim to assess whether the record conclusively establishes Studgon's trial counsel was ineffective. We hold the record does not conclusively establish Studgon's trial counsel was ineffective. We deny relief on this claim without prejudice to Studgon's ability to allege ineffective assistance on collateral review. United States v. Richardson, 195 F.3d 192, 198 (4th Cir. 1999); United States v. King, 119 F.3d 290, 295 (4th Cir. 1997).

Accordingly, we affirm Studgon's conviction and sentence. In accordance with Anders, we have reviewed the entire record in this case and find no other meritorious issues for appeal. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from

representation. Counsel's motion must state that a copy thereof was served on the client.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED